

Remarks

Claims 1, 3-5, 7, 9-12, 14, 17-18, and 21-23 are rejected under 35 USC 102(e) as being anticipated by Mori et al.

Claims 2, 8, 13, 15 and 20-21 are rejected as being unpatentable under 35 USC 103(a) over Mori et al and other recited art.

All the claim rejections under 35 USC 102 and 103 in the Office Action are based on US 6,268,904 B1 issued to Mori et al.

However, it is not clear if Mori et al has to be regarded as prior art in the sense of 35 USC 102 and 103. Mori et al is a continuation-in-part of application No 09/064,335 filed on April 22, 1998, which has been abandoned. The application date of Mori et al is November 19, 1998. As it is a Continuation -in-part, only part of its content has already been disclosed on April 22, 1998, and that it contains new matter, disclosed only on November 19, 1998.

The priority date of the present application 09/764,841 is July 8, 1998. Therefore, new matter contained in Mori et al. is not prior art to be considered in the examination procedure.

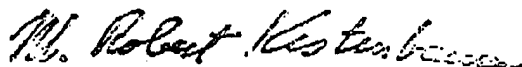
Respectfully, we do not accept Mori et al. as prior art for the present application, until the Examiner will show that those parts of the disclosure which are the basis for the claim rejections have already been contained in the earlier US Application 09/064,335.

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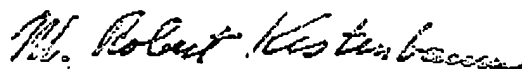
We respectfully request that the Examiner give further consideration to the claims
as now amended and allow them.

Respectfully submitted,



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I hereby certify this correspondence is being submitted to Commissioner for Patents,
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